

SENATE.

FRIDAY, JANUARY 8, 1869.

REPORTS OF COMMITTEES.

Mr. Sweet, from the Committee on Privileges and Elections, reported favorably on the credentials of Mr. R. L. Beall, Senator elect from the 1st district. The Senator came forward and was qualified.

Mr. Moore, of Carteret, reported favorably on the following bills, viz:

Bill to establish a Ferry across Neuse River;
Bill to incorporate Lebanon Lodge;
Bill to amend the charter of the city of Wilmington.

INTRODUCTION OF BILLS AND RESOLUTIONS.
By Mr. Martindale: Bill to incorporate Jamestown and Washington Railroad Lumber Company. Referred to the Committee on Internal Improvements.

By Mr. Moore, of Carteret: Resolution setting apart Saturday of each week for the consideration of bills of a private character. Laid over until the rule.

By Mr. Barrow: Resolution instructing the Committee on Corporations to consider the constitutional restrictions on the legislation on corporations, and to report adversely on all bills incorporating companies, when, in their judgment the objects of the corporations can be obtained under general laws. Passed.

THIRD READING OF BILLS.
Bill to amend the Charter of the City of Wilmington passed.

Bill authorizing the Commissioners of Tarboro' to convey the right of way through Railroad Company passed.

CALENDAR.
The following bills passed their second reading to-wit:

Bill to amend an act concerning the government of counties;
Bill to prevent the felling of timber or placing other obstructions in Rock Fish Creek;

Bill to incorporate Madrine Mining Co.;
Bill to incorporate Carolina Lodge, No. 141, Anson county;

Bill to incorporate Kalina Lodge, Anson county;
Bill to incorporate Mt. Olive Lodge, in the county of Wayne;

Bill to incorporate the Hebrew Association of the city of Charlotte;
Bill to incorporate Woodland Manufacturing Company;

Bill appropriating \$3,000 to protect the Inland Asylum from fire;
Resolution requesting the Representatives in Congress from this State to use their influence to revive the old Postal routes in this State;

A resolution authorizing the Governor to appoint six Commissioners to receive and dispose of the Blockade and Literary funds—said Commissioners to receive \$2 per day and traveling expenses.

SPECIAL ORDER, VIZ:
Report of the committee on Privileges and Elections, in reference to Mr. Purdie's case.

On motion of Mr. Rich, his further consideration was postponed until the 18th of January.

On motion, the Senate adjourned until to-morrow 11 o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, JAN. 8, 1869.

House called to order at 11 o'clock.
Mr. Hunsant, from the committee on Enrollment, reported the bill in favor of the Sheriff and Register of Deeds of Greene county as being correctly enrolled.

On motion of Mr. Estes, the rules were suspended and the resolution setting apart thirty minutes each for the transaction of regular business of the House was taken up and adopted.

Mr. Seymour, from the committee on the Judiciary, reported adversely upon the bill repealing the stay law as regards debts under \$50.

H. Harris, colored, from the committee on Propositions and Grievances, reported favorably upon Mr. Hicks' bill giving Clay county the benefit of her own bonds.

A message was received from the Senate refusing to concur in the resolution raising a committee to revise the Code of Civil Procedure.

Also, another message asking the concurrence of the House in a resolution authorizing the keeper of the Capitol to replace the papers and books of the Supreme Court in their proper rooms. Lies over.

RESOLUTIONS.
By Mr. Painter: A resolution requesting the Secretary of State to communicate with the several County Commissioners in writing, instructing them to forward their reports forthwith for their approval of this General Assembly. Lies over.

By Mr. Gilbert: A resolution instructing the committee on Internal Improvements to report on a certain petition of the citizens of McDowell county in regard to Internal Improvements. Lies over.

By Mr. French: A resolution asking for a clerk for the courts in Counties and Townships for a few days. Lies over.

BILLS.
By Mr. Ingram: A bill to prevent the sale of property exempted by the Constitution as a Homestead.

On motion of Mr. Seymour, the bill was referred to the committee on the Judiciary, with instructions to report on next Monday.

By Mr. High: A bill to authorize the Sheriff of Columbus to collect arrearages of taxes. Referred.

By Mr. Robinson: A bill to amend an act entitled "An act to confer the government of counties." Referred.

By W. T. Hayes, colored: A bill for the protection of debtors.

W. T. Hayes moved to suspend the rules and adopt. Lost.

The bill was then appropriately referred.

By J. S. Leary, colored: A bill to establish additional regular terms of the Superior Court in Cumberland county. Referred.

By Mr. Gilbert: A bill to amend an act entitled "An act to confer the government of counties." Referred.

By Mr. French: A bill to incorporate the Cape Fear Insurance Co.

SPECIAL ORDER, VIZ:
An act to set judgments on debts contracted prior to 1865 to the first of June, 1869, in the State of North Carolina. On motion, all action on such bills should be postponed until they should be introduced by the House.

By Mr. French: A bill to incorporate the Cape Fear Insurance Co.

CALENDAR.

House bill No. 3 (introduced by Mr. Ingram, and reported adversely upon by committee), providing for the exempting of real and personal property against judgments: The report of the committee was concurred in.

On motion of Mr. Moore rules were suspended and Senate bill appropriating \$30,000 to the Deaf, Dumb and Blind Asylum was taken up and passed its second reading by a vote of 86 yeas, 1 nays.

A bill to amend the charter of the Green Swamp Company was next reached, and, on motion, was postponed until next Thursday.

The bill to prevent the collection of debts contracted for hire or sale of slaves (introduced by Mr. Justice, of Rutherford, and reported unfavorably upon by committee), was next reached, when

Mr. Justice, of Rutherford, moved to postpone the bill until Saturday week.

Mr. Malone moved to amend by postponing indefinitely.

On motion of H. C. Cherry (colored), the yeas and nays were called and resulted—yeas 44, nays 42.

The House adjourned until 11 o'clock to-morrow.

SENATE.

SATURDAY, JAN. 9, 1869.

Mr. Long presented a petition from certain Physicians of Lexington, praying the General Assembly to pass some law to enable that profession to collect accounts, by giving them such a lien as is provided for laborers. Referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.
Mr. Graham, from the committee on the Judiciary, reported favorably on the following bills, viz:

Bill to compel executors and administrators to discharge their duties; ordered to be printed.
Bill to create a mechanics' and laborers' Lien.

Mr. Brogden, from the committee on finance, reported favorably on the bill for the relief of the Sheriffs of Pasquotank and New Hanover.

Mr. Barrow, from the committee on the Judiciary, reported a substitute for the bill to allow executors and administrators to sell for cash. Placed on Calendar.

Mr. Graham, from the committee on the Judiciary, asked to be discharged from the further consideration of a bill requiring executors of deceased persons to give bond, (this provision having been incorporated in another bill.) Concurred in.

NOTICE OF BILLS.
By Mr. Robbins: Of a bill to enable plaintiffs to bring suit in the Superior Courts, in their own counties, instead of the counties of defendants, as now required.

By Mr. Bellamy: Of a bill to prevent obstructions to the passage of fish up the waters of Town Creek.

By Mr. Rich: Of a bill to construct a Branch Railroad from the Wilmington and Weldon Railroad, to run through Onslow, Greene and other counties.

INTRODUCTION OF BILLS.
By Mr. Rich: A bill to establish a Reform School for juvenile offenders. [This bill authorizes the Governor to appoint the Board of Commissioners annually.]

Chairman of the Board to receive \$3 per diem and expenses: Said Board, with the assistance of the Superintendent of Public Works, are authorized to purchase a tract of land, in the county of Wake, not to exceed 200 acres, and to erect suitable buildings. Referred to the committee on Penal Institutions.

By Mr. Shoffner: A bill for the relief of Executors and Administrators, who have sued in their representative capacity. Referred to the committee on the Judiciary.

By Mr. Rich: A bill requiring the Officers of the Railroads in which the State is interested to make full and complete returns of the operations of said road. Referred to the committee on Internal Improvements.

THIRD READING OF BILLS.
Bill to establish a Ferry across Neuse river passed.

Bill to incorporate Lebanon Lodge, in the county of Columbus, passed.

Bill to incorporate Carolina Lodge, at Aileronville.

On motion of Mr. Respass, postponed until the 18th of January.

Bill to incorporate Mt. Olive Lodge, in the county of Wayne, passed.

Bill to incorporate Kalina Lodge, at Weldon.

Bill to incorporate the Hebrew Benevolent Association, at Charlotte, passed.

On motion of Mr. Forkner the rules were suspended and the resolutions authorizing the Treasurer to pay the necessary expenses of witnesses summoned before the committee on Bribery.

On motion of Mr. Sweet, it was amended by confining the traveling expenses within the limits of the State.

Mr. Rich offered a substitute, which provides that witnesses shall receive the same pay as provided for witnesses summoned before the Circuit Court of the United States, and if said witnesses are not material, and reside without the limits of the State, they shall receive no compensation whatever.

Mr. Sweet said that there were three objections to this substitute, which ought to convince Senators that it should not be adopted: 1st. It provides that only material witnesses shall receive any compensation whatever; 2d. It provides that those witnesses who reside out of the State, shall receive no pay; after having been compelled to attend here, they are unjustly compelled to defray their own expenses, and, thirdly, he thought the provision entirely inadequate to defray the necessary actual expenses. He hoped the substitute would be voted down.

Mr. Rich said he thought the Senator had had enough experience in conferring great powers into the hands of Committees, and cited, as an instance, the powers granted the Committee to locate the Penitentiary. He was opposed to giving this Committee power to summon witnesses from any place they may choose, and probably, when they arrive, they may know nothing. With this power they can saddle a debt of \$100,000 on the State, without accomplishing anything, and the Democratic party will be made responsible for it.

Mr. Rich gave notice that he should introduce a substitute for the resolution to allow the witnesses the same pay as allowed by the Federal Court.

A message was received from the House transmitting the following resolutions:

Resolution proposing to raise a Joint Committee to investigate the purchase of the tract of land for the Penitentiary site.

Resolution requesting the Representatives in Congress from this State to use their influence to secure an appropriation to improve the Cape Fear navigation. Adopted.

RATIFIED.
Bill to amend the charter of the city of Wilmington.

On motion of Mr. Bellamy, the Senate adjourned until Monday, 11 o'clock.

HOUSE OF REPRESENTATIVES.

SATURDAY, JAN. 9, 1869.

Mr. Hunsant, from the Committee on Enrollment, reported the bill to amend the charter of the city of Wilmington as being correctly enrolled. It was signed by the Speaker and transmitted to the Senate.

a vote, was carried, and the bill passed its several readings, when

Mr. Estes moved to print and refer to the Judiciary Committee, with instructions to report on Tuesday next.

Mr. Malone said, in explanation of the bill, that it was merely a copy of the old stay law in regard to this matter.

After a lengthy debate, the motion to refer prevailed by a vote of yeas 71, nays 20.

By Mr. Ingram: A bill to authorize the Commissioners of Anson county to levy a special tax. Referred.

A message from the Senate was received informing the House, where they originated, of the passage of the following bills, to wit:

Resolution asking our Representatives and Senators in Congress to use their influence to have all the old mail routes reopened and revived.

Bill amending the charter of the city of Wilmington;

Resolution instructing the Code Commissioners to prepare and report compilation of charters.

They were ordered to be enrolled.

Mr. Estes presented the claim of Hardie Reynolds, which was referred to the appropriate committee.

By Mr. Durham: A bill to amend an ordinance entitled "An ordinance to change the jurisdiction of the Courts and rules of pleading therein, and ordinances and acts amendatory thereof." Referred.

By Mr. Robinson: A resolution giving the Superintendent of Public Instruction the west room, third story of the Capitol, lately occupied by the Supreme Court.

On motion, the rules were suspended and the resolution was adopted.

On motion of Mr. Estes, the rules were suspended and House bill No. 37 was taken up, ordered to be printed and re-referred to the Finance Committee, and made the special order for Wednesday next, at 12 o'clock.

On motion of the same, the Revenue bill was made the special order for Wednesday next at 1 o'clock, and every day thereafter, until disposed of.

CALENDAR.
Senate bill appropriating \$30,000 to the Deaf, Dumb and Blind Asylum, was read and passed its third reading by a vote of yeas 89, nays 1.

Mr. Gunter's bill to prevent the distillation of grain (unfavorably reported upon by committee), was taken up and, on motion, the report of the committee was concurred in.

On motion of Mr. Estes, the House then adjourned until Monday next at 11 o'clock, A. M.

SENATE.

MONDAY, JAN. 11, 1869.

NOTICE OF BILLS.
By Mr. Hayes: Of a bill in favor of Reuben King, late Sheriff of Robeson, when said Sheriff settles with the County Treasurer.

By Mr. White: Of a bill providing for the registration of conveyances.

By Mr. Colgrove: Of a bill to charter a Branch Road from some point on the Wilmington and Tarboro' Railroad to some point on the Wilmington and Weldon Railroad.

INTRODUCTION OF BILLS.
By Mr. Bellamy: A bill to prevent obstructions to the passage of fish up Town Creek. Referred to the Committee on Fisheries.

THIRD READING OF BILLS.
Bill making an appropriation of \$3,000 to provide for securing the Insane Asylum against fire passed.

Resolution authorizing the Treasurer of the State to pay the necessary expenses incurred by witnesses summoned before the Committee on Bribery.

On motion of Mr. Sweet, it was amended by confining the traveling expenses within the limits of the State.

Mr. Rich offered a substitute, which provides that witnesses shall receive the same pay as provided for witnesses summoned before the Circuit Court of the United States, and if said witnesses are not material, and reside without the limits of the State, they shall receive no compensation whatever.

Mr. Sweet said that there were three objections to this substitute, which ought to convince Senators that it should not be adopted: 1st. It provides that only material witnesses shall receive any compensation whatever; 2d. It provides that those witnesses who reside out of the State, shall receive no pay; after having been compelled to attend here, they are unjustly compelled to defray their own expenses, and, thirdly, he thought the provision entirely inadequate to defray the necessary actual expenses. He hoped the substitute would be voted down.

Mr. Rich said he thought the Senator had had enough experience in conferring great powers into the hands of Committees, and cited, as an instance, the powers granted the Committee to locate the Penitentiary. He was opposed to giving this Committee power to summon witnesses from any place they may choose, and probably, when they arrive, they may know nothing. With this power they can saddle a debt of \$100,000 on the State, without accomplishing anything, and the Democratic party will be made responsible for it.

Mr. Rich gave notice that he should introduce a substitute for the resolution to allow the witnesses the same pay as allowed by the Federal Court.

A message was received from the House transmitting the following resolutions:

Resolution proposing to raise a Joint Committee to investigate the purchase of the tract of land for the Penitentiary site.

Resolution requesting the Representatives in Congress from this State to use their influence to secure an appropriation to improve the Cape Fear navigation. Adopted.

RATIFIED.
Bill to amend the charter of the city of Wilmington.

On motion of Mr. Bellamy, the Senate adjourned until Monday, 11 o'clock.

HOUSE OF REPRESENTATIVES.

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even have the appearance of trammeling the committee in its investigation. He regretted that the substitute had been offered, and hoped it would be withdrawn in order to allow the committee to pursue their own course. It was right and just that the witnesses summoned should have their necessary expenses paid.

On motion of Mr. Cook the previous question was called.

Mr. Rich's substitute was lost by the following vote:

Ayes—Messrs. Barrow, Barnes, Beasley, Bellamy, Bellamy, Byrd, Colgrove, Cook, Davis, Edgerly, Eyles, Galloway, Galloway, Hayes, Laster, Martindale, Moore, of Carteret, Furdie, Rich, Richardson, Smith and Stephens—17.

Nays—Messrs. Barrow, Barnes, Beasley, Bellamy, Bellamy, Byrd, Colgrove, Cook, Davis, Edgerly, Eyles, Galloway, Galloway, Hayes, Laster, Martindale, Moore, of Carteret, Furdie, Rich, Richardson, Smith and Stephens—13.

And Mr. Sweet's resolution was adopted by the following vote:

Ayes—Messrs. Barrow, Barnes, Beasley, Bellamy, Bellamy, Byrd, Colgrove, Cook, Davis, Edgerly, Eyles, Galloway, Galloway, Hayes, Laster, Martindale, Moore, of Carteret, Furdie, Rich, Richardson, Smith and Stephens—17.

Nays—Messrs. Barrow, Barnes, Beasley, Bellamy, Bellamy, Byrd, Colgrove, Cook, Davis, Edgerly, Eyles, Galloway, Galloway, Hayes, Laster, Martindale, Moore, of Carteret, Furdie, Rich, Richardson, Smith and Stephens—13.

CALENDAR.
The resolution proposing to raise a Joint Committee to investigate the purchase of the tract of land for the Penitentiary site, was taken up and, on motion, the report of the committee was concurred in.

On motion of Mr. Barrow, the rules were suspended and the resolution was adopted.

A message was received from the House transmitting a resolution providing for an office for the Superintendent of Public Instruction on the third floor of the Capitol.

On motion of Mr. Barrow, the rules were suspended and the resolution passed its several readings. Messrs. Bellamy, Hayes, Rich and Stephens voting in the negative. Mr. Smith was excused from voting by his sickness.

THE SENATE CHAIRMAN. The committee to investigate the affairs of the Banks, in which the State has stock, are Messrs. Respass and Hayes.

On motion, the Senate adjourned until to-morrow 11 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, JAN. 11, 1869.

BILLS.
By Mr. Sinclair: A bill in regard to the payment of debts. [This bill provides that every claim to recover money shall be barred in two years after the cause of action accrues, unless the creditor, within the same time, take it out of the statute, unless it be made in writing with a specific promise to pay a specific sum and made after the passage of this act.] Referred.

By Mr. Staley: A bill providing for the registration of conveyances.

By Mr. Colgrove: Of a bill to charter a Branch Road from some point on the Wilmington and Tarboro' Railroad to some point on the Wilmington and Weldon Railroad.

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visions of the Wilmington and Charlotte Railroad.

The special order for this hour, "The bill to incorporate the North Carolina Dental Association," was, on motion, postponed for two weeks.

UNFINISHED BUSINESS.
The bill to modify the stay law was resumed.

[While the Clerk was looking for the bill Mr. Welch arose to a question of privilege. He said that, in looking over the certified copy of the bill recently passed by this Legislature to re-act and confirm the issue of bonds to certain Railroad Companies in the Secretary of State's office, he found a mistake had been made in regard to the specific tax to be levied for the payment of the interest on the bonds appropriated to the Western N. C. R. R. The bill now levies a tax of 1-20th of one per cent. on the taxable property of the State, while it should be 1 of one percent, as it appears in the original bill. He moved that the Committee on Enrollment proceed to the Secretary's office and make the necessary correction. Carried.]

The Clerk then read the bill modifying the stay law.

The question recurred upon Mr. Ferebee's motion to postpone indefinitely.

The yeas and nays having been previously ordered, the roll was called and the motion prevailed by a vote of 19, yeas 19, nays 19.

On motion, the House then adjourned until to-morrow, 11 o'clock.

LATEST NEWS.

FROM WASHINGTON.
WASHINGTON, D. C. Jan. 13.—P. M.

SENATE—Mahon Loomis asks Congress to appropriate \$500,000 to complete the experiments for the telegraph without wires. Referred to Patent Committee.

Mr. Buckal represented a bill amending representation in Congress. It provides for representation of minors. Referred to a select committee of seven.

Mr. Abbott introduced a bill aiding the railroad from the Erie Canal to the Pacific.

Mr. Sawyer introduced a bill paying government employes Smith, not having taken the iron clad oath, would take the ordinary oath to support the Constitution. Referred to Finance Committee.

A bill amending an act relating to the habeas corpus, and to regulate judicial proceedings, passed by a vote of 32 to 10.

Mr. Conkling, in explaining his bill, said that there were cases arising in the Southern States, particularly in Georgia, where the Northern Stockholders in Express and Steamboat Companies were used for property taken by the public, and the object of the bill was to enable the defendants to transfer these cases to the United States Court, to the end that they might go to the Supreme Court and have a decision whether the principle is the same as in the prior cases.

Mr. Conkling, as a general law, they are not able to get a ruling upon in the State Court. A common carrier to defend himself triumphantly, must prove that the loss of the government or of the public enemy, and in the cases that had arisen the defendants were met by instructions from the Judges of the State Courts which deprived the jury from giving any decision upon this point.

The Sun Murray claim has been resumed, but no conclusion arrived at.

Without action, the Senate refused the rotunda for the inauguration hall, and adjourned.

HOUSE.—The bill providing for protection to Hayti and San Domingo by the United States, after a lengthy discussion, was tabled by a vote of 10 to 6.

Mr. Eliot, from Arkansas, was seated.

A memorial was presented from citizens of Texas asking leave to raise a regiment for defense against the Indians.

Mr. Butler offered a substitute for National Banks.

The Alaska territorial bill was tabled.

The House then adjourned.

MR. BELLAMY'S LETTER. In the indictment against Mr. Davis and General Breckinridge, *in re prosequi* has been entered in the Criminal Court of the District:

ATTORNEY GENERAL'S OFFICE.
WASHINGTON, D. C., Dec. 26, 1868.

Sir:—I enclose for your consideration a copy of the proclamation of general amnesty by the President of the United States, under date of the 25th of December, instant. You will observe that by the terms of this proclamation there is extended "unconditionally and without reserve to all and every person who directly or indirectly participated in the late insurrection or rebellion, a full pardon and amnesty for the offense of treason against the United States or adhering to its enemies during the late civil war."

The object of my present communication is to authorize and instruct you in furtherance of the purchase and effect of this general amnesty and pardon, to make an examination of the indictments pending in your district against any person or persons who have been charged with treason against the United States, or adhering to its enemies during the late civil war, in order that as early as you shall have proper opportunity you may enter a *nolle prosequi* for the government upon such indictments. If upon such examination you should find any case where from the terms of the indictment or the nature of the case as known to you, it should be doubtful whether it fell within the embrace of this general amnesty and pardon, you will be so generous as to report the same without delay to me, with such a statement of the facts of the case as you may deem enable me to